

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

JOAQUIN IRWIN FOY,

Petitioner,

vs.

WARDEN LINDA SANDERS,

Respondent

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Case No. 13-3462-CV-H-MDH

ORDER

Pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, the petition herein for a writ of habeas corpus was referred to the United States Magistrate for preliminary review under the provisions of 28 U.S.C. § 636(b).

The United States Magistrate has completed his preliminary review of the petition and has submitted to the undersigned a report and recommendation that the petition be dismissed. (Doc. No. 7). Petitioner has not filed any objections or response to the report and recommendation and the time to do so has expired.

Therefore, after a de novo review of the record and the report and recommendation, this Court **ADOPTS** the findings set forth in the Magistrate's report and recommendation.

IT IS THEREFORE ORDERED that the Petition for a writ of habeas corpus be, and it is hereby, **DISMISSED** pursuant to Rule 4 of the Rules Governing Section 2254 cases.

IT IS SO ORDERED.

Dated: May 4, 2015

/s/ Douglas Harpool
Douglas Harpool
United States District Judge